

# House Study Bill 684 - Introduced

HOUSE FILE \_\_\_\_\_

BY (PROPOSED COMMITTEE ON  
APPROPRIATIONS BILL BY  
CHAIRPERSON OLDSON)

## A BILL FOR

1 An Act relating to public funding and regulatory matters by  
2 making and revising appropriations made for purposes of  
3 health and human services and providing effective dates.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. 2008 Iowa Acts, chapter 1188, section 16, as  
2 amended by 2009 Iowa Acts, chapter 182, section 84, is amended  
3 to read as follows:

4 SEC. 16. MEDICAL ASSISTANCE, HAWK-I, AND HAWK-I EXPANSION  
5 PROGRAMS — COVERING CHILDREN — APPROPRIATION. There  
6 is appropriated from the general fund of the state to the  
7 department of human services for the designated fiscal years,  
8 the following amounts, or so much thereof as is necessary, for  
9 the purpose designated:

10 To cover children as provided in this Act under the medical	
11 assistance, hawk-i, and hawk-i expansion programs and outreach	
12 under the current structure of the programs:	
13 FY 2008-2009.....	\$ 4,800,000
14 FY 2009-2010.....	\$ <del>4,207,001</del>
15	<u>10,049,532</u>
16 FY 2010-2011.....	\$ 24,800,000

17 The amendment to the amount of the appropriation made in this  
18 section for FY 2009-2010 incorporates the amount of the uniform  
19 reduction made pursuant to executive order number 19 issued  
20 October 8, 2009. Of the funds appropriated for FY 2009-2010,  
21 \$510,249 is allocated for the supplemental dental services  
22 under the hawk-i program.

23 Sec. 2. 2009 Iowa Acts, chapter 182, is amended by adding  
24 the following new section:

25 NEW SECTION. SEC. 5A. EMERGENCY CONTINGENCY FUND FOR  
26 TEMPORARY ASSISTANCE FOR NEEDY FAMILIES.

27 1. There is appropriated from the federal recovery and  
28 reinvestment fund created in section 8.41A to the department  
29 of human services for the fiscal year beginning July 1, 2009,  
30 and ending June 30, 2010, an amount sufficient to fully fund  
31 the family investment program under chapter 239B for the fiscal  
32 year.

33 2. The appropriation made in this section is from federal  
34 funding available from the emergency contingency fund  
35 for temporary assistance for needy families state program

1 established pursuant to the federal American Recovery and  
2 Reinvestment Act of 2009, Pub. L. No. 111-5, § 2101. The  
3 funding shall be expended only after the funding appropriated  
4 for the family investment program in sections 5, 6, and 7  
5 of this Act have been exhausted. The appropriation shall be  
6 expended in accordance with the federal law making the funding  
7 available and chapter 239B, notwithstanding section 8.41, 2009  
8 Iowa Acts, chapter 183, section 58, or any other provision to  
9 the contrary.

10 3. The department shall report quarterly to the legislative  
11 services agency and the department of management concerning the  
12 expenditure of the funding appropriated in this section during  
13 the previous quarter.

14 Sec. 3. 2009 Iowa Acts, chapter 182, section 9, unnumbered  
15 paragraph 2, as amended by 2009 Iowa Acts, chapter 179, section  
16 84, is amended to read as follows:

17 For medical assistance reimbursement and associated costs  
18 as specifically provided in the reimbursement methodologies  
19 in effect on June 30, 2009, except as otherwise expressly  
20 authorized by law, including reimbursement for abortion  
21 services which shall be available under the medical assistance  
22 program only for those abortions which are medically necessary:  
23 ..... \$681,949,840  
24 ..... 590,459,096

25 The amendment to the amount of the appropriation made in this  
26 section incorporates the amounts of the uniform reduction made  
27 pursuant to executive order number 19 issued October 8, 2009,  
28 and the transfers made to and from this appropriation pursuant  
29 to the authority in section 8.39 and addressed in the notice of  
30 appropriation transfer from the department of management dated  
31 December 11, 2009.

32 Sec. 4. 2009 Iowa Acts, chapter 182, section 9, subsection  
33 11, is amended to read as follows:

34 11. Of the funds appropriated to the medical assistance  
35 program in this section 2009 Iowa Acts, chapter 183, section

1 61, subsection 8, paragraph "a", the following amounts shall be  
2 transferred to appropriations made in this division of this Act  
3 to the state mental health institutes:

4	a. Cherokee mental health institute.....	\$ 9,098,425
5	b. Clarinda mental health institute.....	\$ 1,977,305
6	c. Independence mental health institute.....	\$ 9,045,894
7	d. Mount Pleasant mental health institute.....	\$ 5,752,587

8 Sec. 5. 2009 Iowa Acts, chapter 182, section 9, is amended  
9 by adding the following new subsection:

10 NEW SUBSECTION. 23. Of the funds appropriated in this  
11 section, \$6,000,000 is allocated for rebasing of nursing  
12 facility reimbursement and \$237,173 for interpreter services  
13 associated with 2009 Iowa Acts, chapter 118, section 29.

14 Sec. 6. 2009 Iowa Acts, chapter 182, section 16, subsection  
15 1, unnumbered paragraph 2, is amended to read as follows:

16 For child and family services:

17	.....	\$ <del>90,591,451</del>
18		<u>84,023,306</u>

19 The amendment to the amount of the appropriation made in  
20 this section incorporates the amounts of the uniform reduction  
21 made pursuant to executive order number 19 issued October 8,  
22 2009, and the transfer made to this appropriation pursuant to  
23 the authority in section 8.39 and addressed in the notice of  
24 appropriation transfer from the department of management dated  
25 December 11, 2009.

26 Sec. 7. 2009 Iowa Acts, chapter 182, section 16, subsection  
27 7, is amended to read as follows:

28 7. Notwithstanding section 234.35 or any other provision of  
29 law to the contrary, state funding for shelter care shall be  
30 limited to ~~\$7,686,460~~ \$8,186,460. The department may continue  
31 or amend shelter care provider contracts to include the child  
32 welfare emergency services for children who might otherwise be  
33 served in shelter care that were implemented pursuant to 2008  
34 Iowa Acts, chapter 1187, section 16, subsection 7.

35 Sec. 8. 2009 Iowa Acts, chapter 182, section 24, subsection

1 1, unnumbered paragraph 2, is amended to read as follows:

2 For distribution to counties for state case services  
3 for persons with mental illness, mental retardation, and  
4 developmental disabilities in accordance with section 331.440:  
5 ..... \$ ~~11,446,288~~  
6 10,008,418

7 The amendment to the amount of the appropriation made in this  
8 section incorporates the amount of the uniform reduction made  
9 pursuant to executive order number 19 issued October 8, 2009.

10 Sec. 9. 2009 Iowa Acts, chapter 182, section 27, unnumbered  
11 paragraph 2, is amended to read as follows:

12 For field operations, including salaries, support,  
13 maintenance, and miscellaneous purposes, and for not more than  
14 the following full-time equivalent positions:  
15 ..... \$ ~~63,032,831~~  
16 57,410,144  
17 ..... FTEs 2,000.13

18 The amendment to the amount of the appropriation made in  
19 this section incorporates the amounts of the uniform reduction  
20 made pursuant to executive order number 19 issued October 8,  
21 2009, and the transfer made from this appropriation pursuant to  
22 the authority in section 8.39 and addressed in the notice of  
23 appropriation transfer from the department of management dated  
24 December 23, 2009.

25 Sec. 10. 2009 Iowa Acts, chapter 182, section 48, is amended  
26 by adding the following new subsection:

27 NEW SUBSECTION. 4. There is appropriated from the IowaCare  
28 account created in section 249J.24 to the department of human  
29 services for the fiscal year beginning July 1, 2009, and ending  
30 June 30, 2010, the following amount, or so much thereof as is  
31 necessary, to be used for the purposes designated:

32 For distribution to a publicly owned acute care teaching  
33 hospital located in a county with a population over 350,000:  
34 ..... \$ 2,500,000

35 Sec. 11. 2009 Iowa Acts, chapter 183, section 61, subsection

1 8, is amended to read as follows:

2 8. From funding designated for government stabilization,  
3 for the department of human services:

4 a. For the medical assistance program:

5 ..... \$ 6,237,173  
6 25,874,211

7 ~~Of the funds appropriated in this lettered paragraph,~~  
8 ~~\$6,000,000 is allocated for rebasing of nursing facility~~  
9 ~~reimbursement and \$237,173 for interpreter services associated~~  
10 ~~with 2009 Iowa Acts, Senate File 389, if enacted.~~

11 b. For coverage of children under the medical assistance  
12 and hawk-i programs and for additional coverage provisions for  
13 children under 2009 Iowa Acts, Senate File 389, if enacted:

14 ..... \$ 6,263,231  
15 0

16 ~~Of the funds appropriated in this lettered paragraph,~~  
17 ~~\$510,249 is allocated for supplemental dental services under~~  
18 ~~the hawk-i program.~~

19 c. For transfer to the department of public health to be  
20 used for 0.25 full-time equivalent position and other costs  
21 associated with the volunteer health care provider program:

22 ..... \$ 20,000

23 d. For the property tax relief fund in lieu of an equal  
24 amount of the appropriation made from the general fund of the  
25 state in section 426B.1, subsection 2:

26 ..... \$ 10,480,000  
27 0

28 Notwithstanding section 426B.1, subsection 2, for the fiscal  
29 year beginning July 1, 2009, the amount of the appropriation  
30 made from the general fund of the state in section 426B.1,  
31 subsection 2, shall be reduced by ~~\$2,964,543~~ \$3,328,089 and the  
32 appropriation made from the property tax relief fund and for  
33 the fiscal year to supplement the medical assistance program  
34 in section 426B.1, subsection 3, shall be reduced by the same  
35 amount.

1 e. For the risk pool created in the property tax relief fund  
2 in accordance with section 426B.5:

3 ..... \$ 10,000,000

4 f. For a demonstration project providing health care  
5 coverage premium assistance for direct care workers to  
6 implement recommendations developed pursuant to 2008 Iowa Acts,  
7 chapter 1188, section 72:

8 ..... \$ 400,000

9 g. For the department's field operations, if 2009 Iowa Acts,  
10 ~~Senate File 389~~, chapter 118, is enacted:

11 ..... \$ 680,596

12 ..... 0

13 The funds appropriated in this lettered paragraph shall be  
14 used for 17.00 additional full-time equivalent positions for  
15 implementation costs associated with 2009 Iowa Acts, ~~Senate~~  
16 ~~File 389~~, if enacted chapter 118.

17 h. For child and family services:

18 ..... \$ 2,500,000

19 ..... 0

20 ~~Of the amount appropriated in this lettered paragraph,~~  
21 ~~\$500,000 shall be used for additional funding of shelter care.~~

22 i. For distribution to counties for state case services  
23 for persons with mental illness, mental retardation, and  
24 developmental disabilities in accordance with section 331.440,  
25 to supplement the amount appropriated in 2009 Iowa Acts,  
26 chapter 182, section 24:

27 ..... \$ 286,789

28 Sec. 12. RISK POOL — STATE CASE SERVICES. Moneys in the  
29 risk pool created in section 426B.5 that remain unencumbered  
30 or unobligated on the effective date of this division of this  
31 Act shall be transferred to the appropriation made in 2009 Iowa  
32 Acts, chapter 182, section 24, to be used by the department  
33 of human services for distribution to counties for state case  
34 services for persons with mental illness, mental retardation,  
35 and developmental disabilities for the fiscal year beginning

1 July 1, 2009, and ending June 30, 2010.

2 Sec. 13. EFFECTIVE UPON ENACTMENT. This Act, being deemed  
3 of immediate importance, takes effect upon enactment.

4 EXPLANATION

5 This bill relates to public funding and regulatory matters  
6 and makes and revises appropriations made for health and  
7 human services for the fiscal year beginning July 1, 2009, by  
8 switching the funding sources for various appropriations, as  
9 adjusted for the governor's uniform reduction in appropriations  
10 made in executive order number 19.

11 The FY 2009-2010 appropriation in a multiyear appropriation  
12 from the general fund made in 2008 Iowa Acts, chapter 1188,  
13 for health coverage for children under the medical assistance  
14 (Medicaid), hawk-i, and hawk-i expansion programs is increased.  
15 The bill states that the changed amount incorporates the  
16 uniform reduction made by the governor in executive order  
17 number 19 and includes an allocation for supplemental dental  
18 services under the hawk-i program.

19 A new Iowa Acts section of 2009 Iowa Acts, chapter 182,  
20 providing appropriation for health and human services,  
21 appropriates certain emergency contingent federal funding to  
22 the department of human services for the family investment  
23 program for FY 2009-2010. The source of the federal funding is  
24 from the emergency contingency fund for temporary assistance  
25 for needy families state program established pursuant to the  
26 federal American Recovery and Reinvestment Act (ARRA) of 2009,  
27 Pub. L. No. 111-5, § 2101. The appropriation is only to be  
28 expended in the event that other state and federal funding  
29 appropriated in the Act being amended for purposes of the  
30 family investment program has been exhausted and is limited to  
31 the amount necessary to fully fund the program for the fiscal  
32 year.

33 The appropriation from the general fund for the Medicaid  
34 program is reduced. The bill states that the changed amount  
35 incorporates the uniform reduction made by the governor in



1 executive order number 19 and transfers made to and from this  
2 appropriation. The language providing for transfer of Medicaid  
3 funding to the state mental health institutes is amended to  
4 clarify that the appropriation made from the ARRA funding for  
5 the Medicaid program, as increased by the bill, is the funding  
6 source for the transferred funding.

7 The appropriation from the general fund for child and  
8 family services is reduced. The bill states that the changed  
9 amount incorporates the uniform reduction made by the governor  
10 in executive order number 19 and the transfer from this  
11 appropriation. The allocation made for shelter care services  
12 is increased to reflect the shift in the allocation of ARRA  
13 funding.

14 The appropriation from the general fund for state case  
15 services for persons with mental illness, mental retardation,  
16 and developmental disabilities is reduced. The bill states  
17 that the changed amount incorporates the uniform reduction made  
18 by the governor in executive order number 19.

19 The appropriation from the general fund for the field  
20 operations of the department of human services is reduced. The  
21 bill states that the changed amount incorporates the uniform  
22 reduction made by the governor in executive order number 19 and  
23 the transfer from this appropriation.

24 The section of 2009 Iowa Acts, chapter 182, making  
25 appropriations from the IowaCare account, is amended to provide  
26 an additional appropriation of \$2.5 million for distribution to  
27 a publicly owned hospital in a county with a population over  
28 350,000 for treatment of indigent patients and other services.

29 Various appropriations in 2009 Iowa Acts, chapter 183,  
30 section 61, of ARRA funding for the department of human  
31 services are amended. The appropriation for the Medicaid  
32 program is increased and the appropriations for coverage of  
33 children under the Medicaid and hawk-i programs, for the  
34 property tax relief fund, and for child and family services are  
35 eliminated. The ARRA appropriations that were eliminated are

1 replaced, as adjusted for the governor's uniform appropriations  
2 reduction, earlier in the bill with appropriations from the  
3 general fund of the state.

4     An additional appropriation is made from ARRA funds to the  
5 department of human services and any moneys remaining in the  
6 risk pool on the division's effective date are transferred to  
7 be used for state case services.

8     The bill takes effect upon enactment.